

Prob 12B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**PETITION TO MODIFY THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT OF THE OFFENDER**

(Probation Form 49, Waiver of Hearing, is on file)

Offender Name: Lo Vonjia Ellise DOCK

Docket Number: 1:05CR00078-001

Offender Address: Bakersfield, California

Judicial Officer: Honorable Oliver W. Wanger
United States District Judge
Fresno, California

Original Sentence Date: July 11, 2005

Original Offense: 18 USC 287 - False Claim to an Agency of the United States, two counts
(CLASS D FELONIES)

Original Sentence: 3 years probation; \$3,349 restitution; \$200 special assessment; mandatory testing

Special Conditions: Warrantless search; not to dispose of or otherwise dissipate any assets; access to financial information; not to open any lines of credit without approval; drug aftercare and testing; 100 hours community service; DNA collection; and, up to \$25 co-payment for drug aftercare and testing

Type of Supervision: Probation

Supervision Commenced: July 11, 2005

Assistant U.S. Attorney: Stanley A. Boone **Telephone:** (559) 498-7272

Defense Attorney: Eric Kersten **Telephone:** (559) 487-5561

Other Court Action: None

RE: Lo Vonjia Ellise DOCK
Docket Number: 1:05CR00078-001
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PETITIONING THE COURT

To modify the conditions of supervision as follows:

The defendant shall reside and participate in a residential community correctional center, for a period not to exceed 120 days; said placement shall commence as directed by the probation officer pursuant to 18 USC 3563(b)(11). The defendant shall pay cost of confinement as determined by the Bureau of Prisons.

Justification: On August 4, 19, 20, 21 and 28, 2005, and September 9, 10, 11 and 18, 2005, the releasee failed to appear for random urine tests, in violation of special condition number 6, to participate in a correctional treatment program to obtain assistance for drug or alcohol abuse.

On September 27, 2005, the probationer reported to the probation officer as instructed to discuss the missed testing appointments. The probationer indicated she thought she only had to test once per week. After re-explaining the testing procedure the probationer indicated she understood and was also advised that no further violations would be tolerated. The probationer's only missed test since that time occurred on November 16, 2005.

However, on January 25, 2006, the probationer submitted a urine sample which returned positive for the use of marijuana, in violation of the condition that she refrain from the use of any controlled substance. On January 31, 2006, the probationer admitted to the use of marijuana. The probationer then signed Probation Form 49 - Waiver of Hearing to Modify Conditions of Probation, agreeing to reside and participate in a residential community

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corrections center for a period not to exceed 120 days. It was further discussed that any future violations would result in the probationer returning to court for a revocation hearing.

Respectfully submitted,

/s/ Frank Esquivel

FRANK ESQUIVEL
United States Probation Officer
Telephone: (661) 861-4354

DATED: February 7, 2006
Bakersfield, California
FE:dk

/s/ Rick C. Louviere

REVIEWED BY: _____
RICK C. LOUVIERE
Supervising United States Probation Officer

THE COURT ORDERS:

- (X) Modification approved as recommended.
- () Modification not approved at this time. Probation Officer to contact Court.
- () Other:

February 9, 2006

/s/ OLIVER W. WANGER

Date

Signature of Judicial Officer

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cc: United States Probation
Stanley Boone, Assistant United States Attorney
Eric Kersten, Assistant Federal Defender
Defendant
Court File

Attachment: Presentence Report (Sacramento only)